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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,221	09/24/2003	Bart Flores JR.	M-16026 US	8229

7590 01/25/2006

Tom Chen
MacPHERSON KWOK CHEN & HEID LLP
Suite 226
1762 Technology Drive
San Jose, CA 95110

EXAMINER

NGUYEN, LEE

ART UNIT PAPER NUMBER

2682

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/671,221	Applicant(s) FLORES, BART	
	Examiner LEE NGUYEN	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3, 8 and 11-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Watanabe (US 2002/0137537).

Regarding claim 1, Watanabe teaches a cellular telephone (figs. 1-4), comprising:

a front portion (item 4, fig. 3, item 14, fig. 4);

a detachable back cover 6 comprising a mirror 18,

wherein the mirror 18 is exposed when the back cover 6

is detached (see fig. 4); and

a release mechanism 15, 16 for detaching the back

cover 6 (see fig. 4).

Regarding claim 2, Watanabe also teaches that the

back cover 6 has approximately the same length and height

as the cellular telephone 2, and wherein the mirror 18 is

approximately the same size as or slightly smaller than

the back cover 6 (see fig. 4).

Regarding claim 3, Watanabe also teaches that the mirror 18 faces inward toward the cellular telephone 2 when the back cover 6 is not detached (see figs. 1 and 4).

Regarding claim 8, Watanabe also teaches comprising a hinge 10 attaching the front portion to the back cover 20 (fig. 3).

Regarding claim 11, Watanabe also teaches that the release mechanism is a latch 15 (fig. 4).

Regarding claim 12, Watanabe also teaches that the mirror 18 is approximately the same shape as the back cover 6 (fig. 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Leon et al. (US 5,896,277).

Art Unit: 2682

Regarding claims 4 and 10, Watanabe fails to teach that the back cover is slidably detachable. But Leon teaches that the back cover 10 is slidably detachable (see figs. 2-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Leon with Watanabe in order to simplify cover removal.

Regarding claim 7, the claim is interpreted and rejected for the same reason as set forth in claim 4 in which Leon also teaches that the back cover 10 can be completely removed from the front portion 20 (fig. 3).

Claims 5-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Horne (US 5,983,083).

Regarding claim 5, Watanabe fails to teach that the back cover can be attached to the front portion by a clip. But Horne teaches that the back cover 22 can be attached to the front portion by a clip (see col. 4, lines 23-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Horne with Watanabe in order to provide an alternative mechanism when spring technique is not preferred.

Regarding claim 6, Watanabe also teaches that the Latch 15 is located on one of the four sides of the

Art Unit: 2682

cellular telephone (see fig. 4).

Regarding claim 9, Watanabe fails to teach a spring mechanism coupling the front portion with the back cover. But Horne teaches a spring mechanism 70 coupling to the front portion with the back cover (col. 4, lines 16-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Horne with Watanabe in order to provide an alternative mechanism when spring technique is preferred.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DORIS TO can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LEE NGUYEN
PRIMARY EXAMINER 1/20/06